

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants – PR&RD Department – Allegations of corruption against Sri P. Chandrasekharaiah, former Panchayat Secretary, Balayapalli (V), Nellore District (now retired) – ACB Trap – Prosecution – Conviction by the Trial Court – Imposition of penalty of withholding of entire pension & gratuity permanently against him under A.P. Revised Pension Rules, 1980 on the ground of conduct which has led to his conviction on a criminal charge – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (Vig.IV) DEPARTMENT

G.O.Rt.No. 927

Dated:- 23-06-2009.

Read the following :-

- (1) Proceedings of the Dist., Collector, Nellore No: D3/7938/2003, Dt:- 2-12-2003.
- (2) G.O.Ms.No: 168, PR&RD(Vig.IV) Dept., Dt:- 14-7-2004.
- (3) Judgment dt:- 30-11-2007 in CC No: 34/2004 pronounced by the Spl.Judge for SPE&ACB Cases, Nellore.
- (4) Govt.Memo.No: 2246/Vig.IV.A2/2004-1, Dt:- 30-01-2008.
- (5) From the D.P.O., SPS Nellore Dist., Lr.Roc.No: 2035/2004-A4, Dt:- 7-4-2009.

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ORDER:-

It has been brought to the notice of the Government that Sri P. Chandrasekharaiah, while working as Panchayat Secretary, Balayapalli Mandal, Nellore District, was trapped by the ACB authorities on 25.11.2003 while demanding and accepting an amount of Rs.700/- as bribe from the complainant for doing official favour. Then he was arrested and remanded to judicial custody and the Dist., Collector, Nellore has issued proceedings suspending the Accused Officer from service on 2.12.2003.

2. Government, after careful examination, have issued prosecution orders in G.O.Ms.No: 168, Dt:- 14.7.2004. In the meanwhile, the Accused Officer, Sri P. Chandrasekharaiah, Panchayat Secretary, Balayapalli Mandal, Nellore District was retired from service on attaining the age of superannuation on 30.4.2005.

3. In the reference 3rd read above, the Spl.Judge for SPE&ACB cases, Nellore pronounced judgement convicting the Accused Officer Sri P. Chandrasekharaiah, Panchayat Secretary, Balayapalli Mandal, Nellore District (now retired) and the Special Judge sentenced him to undergo rigorous imprisonment for six months and to pay a fine of Rs. 500/- for the offence u/s 7 of the P.C.Act. The Spl.Judge further sentenced him to undergo rigorous imprisonment for one year and to pay a fine of Rs. 500/- u/s 13(2) r/w 13(1)(d) of the P.C.Act, 1988. Both the sentences were ordered to run concurrently.

4. As per the G.O.Ms.No.2, G.A.(Ser.C) Dept., dt:- 4.1.1999, Government directed that in all proven cases of mis-appropriation, bribery, corruption etc., the penalty of dismissal from service shall be imposed. As per the amendment of Rule 25(i) of the APCS (CC&A) Rules, 1991 issued through G.O.Ms.No.240, G.A(Ser.C) Dept., dt:- 14.8.2003, it is not necessary to consult the APPSC before any orders are made under clause (i) of this rule.

5. Since, it is a proven case of bribery, as per the guidelines in G.O.Ms.No;2, G.A.(Ser.C) Dept., dt:- 4.1.1999, the Accused Officer would have been dismissed from service, if he was in service. But, the A.O., has retired from service on 30.4.2005 on attaining the age of superannuation and the case has to be dealt under A.P.Revised Pension Rules, 1980 and the penalty to be imposed equivalent to the dismissal from service is to withhold pension & gratuity in full and permanently.

6. Accordingly, as per rule 9 of A.P.Revised Pension Rules, 1980 , a show cause notice **has been** issued to Sri P.Chandrasekharaiah, Panchayat Secretary (retd.), vide reference 4th read above, calling for his explanation on the proposed penalty to be imposed against him. In the reference 5th read above, it has been informed by the Dist., Panchayat Officer, SPS Nellore Dist., that the show cause notice has been served on the individual.

7. Hence, Government, after examination of the matter with material on record, have decided to impose the penalty of withholding pension & gratuity in full and permanently against Sri P.Chandrasekharaiah, Panchayat Secretary (retd.), SPS Nellore Dist., for his conviction on a criminal charge under Rule (9) of A.P.Revised Pension Rules, 1980.

8. Accordingly, Government, hereby, impose the penalty of withholding pension & gratuity in full and permanently against Sri P.Chandrasekharaiah, Panchayat Secretary (retd.), SPS Nellore Dist., under Rule (9) of A.P.Revised Pension Rules, 1980. for his conduct which led to his conviction on a criminal charge.

9. The District Collector, SPS Nellore Dist., shall take necessary further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**CHITRA RAMCHANDRAN
SECRETARY TO GOVERNMENT**

To

Sri P.Chandrasekharaiah, former Panchayat Secretary, Balayapalli (V), Nellore District (now retired) **through** the Dist., Collector, SPS Nellore Dist.,
The Dist., Collector, SPS Nellore Dist.

Copy to:- The Commissioner of PR&RE., Hyd.

The Director-General, Anti-Corruption Bureau, Hyderabad.

The Secretary to APVC., Hyd.

SF/Sc.

//Forwarded : By Order//

SECTION OFFICER